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COMMITTEE ON THE RIGHTS OF THE CHILD

Twelfth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on
the Rights of the Child: Lebanon

1. The Committee considered the initial report of Lebanon (CRC/C/8/Add.23) at its 289th, 290th and 291st meetings (CRC/C/SR.289-291) held on 20 and 21 May 1996 and adopted* the following concluding observations:

A. Introduction

2. The Committee notes with appreciation the submission of the initial report of Lebanon and the dialogue held with the State party. While the Committee expresses its appreciation for the supplemental written information provided by the delegation, it regrets that the State party did not submit written replies to the list of issues previously submitted by the Committee to the Government.

B. Factors and difficulties impeding the implementation of the Convention

3. The Committee notes the severe difficulties facing Lebanon as a result of almost 20 years of war and foreign intervention which has resulted in widespread destruction of its physical infrastructure and public works. The Committee also takes note of the difficulties caused by the fact that Lebanon has hosted a great number of refugees for several decades. The Committee also notes the insufficient international support for coping with the above-mentioned problems and facilitating an effective reconstruction of infrastructure and social services.

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* At the 314th meeting, held on 7 June 1996.

C. Positive aspects

4. The Committee welcomes the establishment of a Higher Council for Childhood, administered by the Ministry of Social Affairs, which serves as an independent intermediary body between relevant government ministries and with non-governmental organizations to initiate and coordinate programmes and policies. The Committee also welcomes the decision of the Higher Council to undertake a study on the legal situation in Lebanon with respect to the Convention on the Rights of the Child, which it regards as a potentially important step in the development of a more comprehensive approach to the implementation of the Convention on the Rights of the Child.

5. The Committee also welcomes the establishment of the Parliamentary Committee for the Protection of Childhood as well as the National Committee for the Disabled, both of which could be important in the endeavours to implement the principles and provisions in the Convention on the Rights of the Child.

6. The Committee notes with satisfaction the decision to establish a system for health inspections in schools and preschool institutions.

7. The Committee welcomes the adoption in September 1995 of a National Plan of Action for Child Survival, Protection and Development in Lebanon which focuses on programmes related to health and education.

8. The Committee welcomes the report from the delegation that the stigmatizing label of "illegitimate" will be abolished not only from identity cards but also from the birth registry and all other official documents.

9. The Committee welcomes the round-tables and training courses, some of them in cooperation with the United Nations Children's Fund, to educate and train teachers, as well as plans to train police, social workers and other professionals about the rights of the child. The Committee notes with satisfaction the agreement entered into by the State party with the United Nations Development Programme to undertake a statistical overview of 7,000 families representing the different regions of Lebanon on relevant social matters such as education, illiteracy, unemployment and child labour. It further welcomes the planned study on the health of mothers and children, and looks forward to receiving a copy of the results from the two studies once they are completed.

D. Principal subjects of concern

10. The Committee is concerned at the insufficient measures adopted to ensure a permanent and effective coordinating and monitoring mechanism to ensure implementation of the Convention on the Rights of the Child. The Committee also notes the insufficient measures to systematically gather reliable quantitative and qualitative data on all areas covered by the Convention and in relation to all groups of children, and to evaluate progress achieved and to assess the impact of policies adopted on children, in particular in relation to education, health, juvenile justice and children with disabilities.

11. The Committee is concerned about the insufficient measures taken to ensure that the principles and the provisions of the Convention are made widely known to children and adults.

12. As regards the implementation of article 4 of the Convention, the Committee notes with concern the inadequacy of measures taken to ensure the implementation of children's economic, social and cultural rights to the maximum extent of available resources. The Committee is also concerned that insufficient resources are allocated to human development projects and by the emerging gaps developing between those who can afford private education and medical care, and those who cannot.

13. The Committee notes that despite the fact that the provisions of international treaties to which Lebanon is a party supersede domestic legislation, laws continue to exist which are inconsistent with the provisions of the Convention on the Rights of the Child and of other international treaties.

14. The Committee is also concerned that the basic principles of the Convention, in particular the provisions of its articles 2, 3 and 12, have not been adequately reflected in legislation, policies and programmes.

15. The Committee is concerned with the apparent discrimination in the granting of nationality to a child of parents of mixed nationality; nationality may only be obtained by a child from her/his Lebanese father but not from the mother and, in the case of unmarried parents, only if the Lebanese father acknowledges the child.

16. The Committee is worried by the widespread practice of early marriage and the related consequence of high child mortality rates and the negative impact on the health of girls bearing children at an early age. It is also concerned with consanguineous marriage.

17. The Committee expresses its concern that the provision of social services appears to be concentrated in Beirut, to the disadvantage of the population living outside the capital. The Committee also notes the apparent shortage in the number of social workers.

18. The Committee notes the need for further reform in the school sector to improve the quality of education and prevent drop-outs. Specific needs appear to exist in the fields of health education and, as recognized by the delegation, teaching about values and about the environment.

19. The Committee notes the need for further reforms in the field of juvenile justice and treatment of young offenders to ensure full implementation of Convention articles 37, 39 and 40. Problems appear to exist in relation to the low age of criminal responsibility, non-separation of children from adult detainees, the lack of available health and educational facilities for young detainees, the existence and length of pre-trial custody and the non-availability of legal assistance.

20. The Committee is concerned by reports about children working in the streets or in domestic service, including children from other countries.

21. The Committee notes the need for special efforts to protect the rights of children in especially difficult circumstances, including abandoned and stateless children.

D. Suggestions and recommendations

22. Though welcoming the establishment of the Higher Council for Childhood, the Committee recommends a review of the various central and local administrative structures in order to ensure an effective coordination of policies and programmes on matters of child rights and child welfare.

23. The Committee welcomes the initiative for a comprehensive review of legislation in light of the principles and standards of the Convention on the Rights of the Child. In this regard, the Committee recommends that the minimum age of criminal responsibility, for marriage and for child labour be reviewed.

24. The Committee recommends that a permanent and multidisciplinary mechanism be developed for coordination and monitoring of the implementation of the Convention, both at national and local levels, in urban and rural areas. The Committee encourages the State party to give further consideration to the establishment of an Ombudsperson for Children or any equivalent independent complaint and monitoring mechanism. The Committee further encourages the promotion of closer cooperation for this purpose with Lebanese non-governmental organizations, to which it expresses its appreciation for the valuable work they perform in the field of the rights of the child.

25. The Committee recommends that further steps be taken by the State party to define child-related social indicators and to develop systematic means of gathering data on an ongoing basis to facilitate a comparison of progress with regard to child-related initiatives over a period of time.

26. The Committee recommends that the Government strengthen its efforts aimed at promoting advocacy and creating awareness and understanding of the principles and provisions of the Convention in light of its article 42. In the spirit of the United Nations Decade for Human Rights Education, the Committee further encourages the Government to give consideration to the incorporation of the rights of the child in school curricula. The Committee also suggests that the Government develop public campaigns with a view to addressing effectively the problem of persistent discriminatory attitudes, in particular towards girls.

27. The Committee recommends that further programmes be aimed at training personnel working with children, such as social workers, police, public health workers, and legal and judicial officers.

28. The Committee encourages the Government to pursue its efforts to ensure full compliance of its national legislation with the principles and provisions of the Convention, including non-discrimination (art. 2), the best interests

of the child (art. 3) and respect for the views of the child (art. 12). In light of articles 2 and 3, the Committee strongly recommends that legislative measures be adopted with a view to ensuring respect for the rights of girls, especially in relation to preventing early marriage.

29. The Committee recommends that the State party strengthen the existing overall priority which is given in the national budget to child-related programmes in accordance with article 4 of the Convention.

30. In relation with the growing role of private educational and health institutions, the Committee recommends that a stronger emphasis be placed on public education and the social welfare system by the Government with a view to ensuring that all children subject to the jurisdiction of the State party enjoy these fundamental rights, as well as to prevent any risk of discrimination.

31. The Committee recommends the development of a more comprehensive social policy which would include the implementation of the National Plan of Action for Child Survival, Protection and Development. Such a policy would emphasize the importance of human development. The Committee recommends that further steps be taken towards decentralization of social services so as to afford children outside the capital open and easy access to basic social services and education.

32. The Committee welcomes the steps taken to reform the school system and to improve the quality of education, including a thorough review of the curricula. It recommends measures to fully realize the provisions of the Convention relating to free and compulsory primary education for all children.

33. In view of the principles contained in article 29 (1) (d) of the Convention, which stipulates that the education of the child shall be directed to "the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national, religious groups and persons of indigenous origin", the teaching of values is an important dimension that should be incorporated in the curricula at all levels of schooling. School curricula materials should be revised accordingly.

34. The Committee recommends that the ban of the commercial marketing of infant formula be implemented and that breast-feeding be promoted among mothers in health facilities. It further suggests that a health insurance card be issued for children whose parents are not entitled to social security benefits.

35. The Committee suggests that the State party undertake a comprehensive study to examine the implications of the principle of the "best interests of the child" in relation to laws and their implementation as well as to administrative practice in all relevant fields.

36. The Committee believes that opportunities for the cultural development of children are critical and recommends that measures be taken to give children access to child literature and media. The need for playgrounds and child-friendly parks should be considered in city planning.

37. The Committee welcomes the policy of not allowing corporal punishment in schools or other official institutions and recommends a thorough review of the problem of domestic violence, including the possibility of stricter legislation against all forms of abuse against children in the spirit of article 19 of the Convention, as well as supportive social measures to assist families in crisis.

38. The Committee suggests that further efforts should be undertaken to disseminate information about the risks of consanguineous marriages, including through the media and health education programmes.

39. The Committee suggests that special programmes be developed for children with disabilities in order to define social, psychological, physical and other needs as well as to educate parents about ways of dealing with them. Further efforts are recommended to encourage schools to ensure the participation of these children in all activities.

40. The Committee suggests that the State party, in cooperation with United Nations Relief and Works Agency, seek ways of addressing the socio-economic problems among Palestinian refugees that affect children negatively.

41. The Committee recommends that the State party consider ratifying the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

42. The Committee recommends that the State party give careful consideration to placing greater emphasis on psycho-social recovery and reintegration of "passive victims" of violence and the armed conflict in Lebanon.

43. The Committee recommends that in the light of article 32 of the Convention on the Rights of the Child, further steps be taken to protect children from hazardous work, including through the adoption of stricter legislation, ratification of all relevant International Labour Organization Conventions and the appointment of a sufficient number of child labour inspectors.

44. The Committee recommends that the State party envisage undertaking a comprehensive reform of the juvenile justice system in the spirit of the Convention, in particular articles 37, 39 and 40, and relevant United Nations standards in this field such as the "Beijing Rules", the "Riyadh Guidelines" and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Particular attention should be given to the consideration of deprivation of liberty only as a measure of last resort and for the shortest period of time, to the protection of the rights of children deprived of liberty, to due process of law, and to the full independence and impartiality of the judiciary. Training programmes on the relevant international standards should be organized for all those professionals involved with the system of juvenile justice. The Committee would like to suggest that the Government of Lebanon consider seeking international assistance in the area of the administration of juvenile justice from the Centre for Human Rights and the Crime Prevention and Criminal Justice Division of the United Nations (Vienna).

45. The Committee recommends that relevant international agencies and institutions, as well as other Governments, develop cooperation with Lebanese authorities and voluntary organizations, in the reconstruction effort after the many years of war devastation. Displaced persons and refugees should be given priority in such international cooperation.

46. The Committee recommends that the report submitted by the State party, the summary records of its consideration and the concluding observations of the Committee be disseminated as widely as possible within the country.